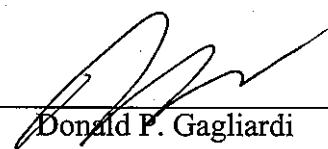


1 copies of the hard drives be produced *minus any personal information related to Mayder and/or*
2 *any attorney client privileged communications*. I advised Mr. Pasquinelli that this might be
3 acceptable provided his firm was willing to provide us with written assurances that nothing
4 relevant or conceivably relevant to the litigation would be withheld apart from privileged
5 communications. Mr. Pasquinelli said he would get back to me with his client's response the
6 same day in light of the urgency in bring this motion. As of 5 p.m. PDT on October 1, 2007, he
7 had not done so.

8 I declare under penalty of perjury under the laws of the United States of America that the
9 foregoing is true and correct and that this declaration was executed this 1st day of October, 2007 at
10 San Jose, California.

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13 _____
14 Donald P. Gagliardi
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